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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

VN174RI

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,687,174, granted 11/11/1997, and for which a

reissue patent is sought on the invention entitled Network Link Endpoint Capability

Detection

the specification of which

☐ is attached hereto.

☒ was filed on 11/12/1999 as reissue application number 09/443,250  
and was amended on 9/4/01  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

by reason of claiming only the subject matter of claims 1-72, which is less than the full right to claim in the original application. Accordingly, new claims 73-240 were added. For example, comparing claim 73 to claim 1, claim 1 was limited to a "hub transmitter," a "node receiver," a "node transmitter," and a "hub receiver." As the originally-filed specification makes clear, this was less than Applicant was entitled to claim, and therefore new claim 73, which parallels original claim 1, recites a "first endpoint transmitter," a "second endpoint receiver," a "second endpoint transmitter," and a "first endpoint receiver." In addition, Applicant, in combination with independent claim 73, was entitled to claim the subject matter of dependent claims 74-87, but did not do so in the original application. Similar errors of claiming less than Applicant was entitled to claim can be seen from the subject matter of new claims 88-240, which include subject matter that Applicant was entitled to claim but did not in the original application.

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Docket Number (Optional)

VN174RE

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Alan R. Lauder milk 32785

Correspondence Address: Direct all communications about the application to:

☐ Customer Number

Type Customer Number here

Place Customer Number Bar  
Code Label here

<input checked="" type="checkbox"/> Firm or Individual Name	Laudermilk & Associates				
Address	10950 N. Blaney Avenue				
Address	Suite B				
City	Cupertino	State	CA	Zip	95014
Country	U.S.A.				
Telephone	(408) 342-1866	Fax	(408) 342-1868		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Brian C. Edem

Inventor's signature

Date

10/25/01

Residence

14020 Arcadia Palm Dr

Citizenship

USA

Mailing Address

SAME Saratoga, CA 95070

Full name of second joint inventor (given name, family name)

Debra J. Worsley

Inventor's signature

Date

10/25/01

Residence

1723 W. Hedding St.

Citizenship

USA

Mailing Address

San Jose, CA 95126

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

Patent Office Acknowledgement

S/N: 09/443,250 File No.: VN174R1 Mailed by: KR Date Mailed: 11/8/01  
Title Network Link Endpoint Capability Detection  
Client Name: Vertical Networks, Inc.

The Following due 11/18/01 in the U.S. Patent & Trademark Office was received in the Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Patent Application	<input type="checkbox"/> Drawings, # of Sheets <input type="checkbox"/>
<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> Formal <input type="checkbox"/> Informal
<input checked="" type="checkbox"/> <sup>Re issue</sup> Decl., Affidavit or Oath	<input type="checkbox"/> Issue Fee Payment Transmittal
<input type="checkbox"/> Assign; Dep. Account 50-0251	<input type="checkbox"/> Advance Soft Copy Order
	<input type="checkbox"/> Form 1083 Transmittal Letter
<input checked="" type="checkbox"/> Other: <u>Corrected Columns, Extension of Time</u>	